

IN THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF VIRGINIA  
Alexandria Division

UNITED STATES OF AMERICA )  
                              )  
                              )  
                              )  
v.                          ) Criminal No. 99-258-A  
                              ) Civil Action No. 1:05cv390  
GILBERT F. HEPBURN,      )  
                              )  
Defendant.                )

ORDER

For the reasons stated in the accompanying Memorandum Opinion,  
Gilbert F. Hepburn's Motion to Correct Sentence Pursuant to 28  
U.S.C. § 2255 is DISMISSED WITH PREJUDICE.

Should he wish to appeal, defendant must file a notice of  
appeal in writing with the Clerk of this court within sixty (60)  
days of this Order. He must also request and obtain a certificate  
of appealability from a circuit justice or judge. See 28 U.S.C. §  
2253(c)(1)(B); Fed. R. App. P. 22(b). This Court expressly  
declines to issue such a certificate.

The Clerk is directed to forward copies of this Order to  
defendant, pro se and counsel of record.

Entered this 3rd day of May, 2005.

/s/  
Leonie M. Brinkema  
United States District Judge

Alexandria, Virginia